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HEATHER FONG AND JESSE SERNA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCO MAESTRINI,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation;
HEATHER FONG, in her capacity as
Chief of Police for the CITY AND
COUNTY OF SAN FRANCISCO; JESSE
SERNA, individually, and in his capacity
as a police officer for the CITY AND
COUNTY OF SAN FRANCISCO; and,
San Francisco police officers DOES 1-25,
inclusive,

Defendants.

Case No. C 07-2941 PJH

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND THE TIME FOR
COURT-ORDERED MEDIATION**

The undersigned parties, through counsel, STIPULATE and AGREE and jointly request
modification of the Court's September 28, 2007 Case Management Order to extend by 60 days the
time for Court-ordered mediation based on the following circumstances:

1. The Court ordered the parties to mediation and set a deadline of January 25, 2008 (120
days from the case management order).

2. Deputy City Attorney David Newdorf, plaintiff's counsel John Burris, and Court-appointed mediator Christopher Johns held a telephone conference on December 10, 2007. During the conference, the parties agreed that additional discovery would be necessary in order for mediation to be beneficial. Plaintiff's counsel's will is now preparing for trial and will be in trial in U.S. District Court for most of January 2008. Accordingly, the parties agreed to seek a 60-day extension of the time to mediate the case. The Court-appointed mediator agreed to this extension, if requested by the parties and approved by the Court.

3. There have been no other modifications to the Case Management order. The trial of this matter is set for February 2, 2009. No other dates will be affected by this change.

STIPULATED AND AGREED:

Dated: December 10, 2007

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By: s/ David B. Newdorf
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BEN NISENBAUM

By: s/ John L. Burris
JOHN L. BURRIS
Attorneys for Plaintiff
MARCO MAESTRINI

ORDER

Pursuant to stipulation, and for good cause appearing, IT IS ORDERED that the deadline for Court-ordered mediation in this case is continued to March 25, 2008.

DATED: _____

Hon. Phyllis J. Hamilton
U.S. District Judge